

REMARKS

As a preliminary matter, claim 4 is objected to for the reasons set forth on page 2 of the present Office Action. Specifically, the Examiner alleges:

The context of claim 4 fails to positively describe the production of the second CRC code. Page 3, line 3 of the response filed September 15, 2005 recites "...a second CRC code produced from data recorded in said recording medium..." while page 3, line 5 recites "...said second CRC code being produced when said data is recorded in said recording medium...". It is unclear as to what the procedure is for producing the second CRC code since it can be interpreted by reading data previously recorded on the medium, as first recited, or it can be interpreted as being produced while data is recorded, which would contradict the previously recited limitation.

In response, Applicant submits that there is no contradiction, and that claim 4 clearly recites that the second CRC code is produced when the data is recorded in the recording medium; therefore there is clear indication of when said second CRC code is produced. Thus, the Examiner's interpretation of the limitation of the second CRC code being produced from data recorded in the recording medium by reading data previously recorded is not consistent with the claim. The claim recitation at page 3, line 3 of the September 15th Amendment simply describes **what** the second CRC code is derived from, whereas page 3, line 5 thereof recites **when** the second CRC code is produced. Therefore, at least based on the foregoing, Applicant respectfully requests that the Examiner withdraw the objection to claim 4. **If the Examiner continues to object to claim 4, Applicant respectfully requests that the Examiner contact the undersigned to discuss the claim 4 objection.**

Claims 1, 4, 7, 10, 13, 16, and 19 are all the claims pending in the present application. In summary, the Examiner maintains the same rejections set forth in the previous Office Action, and adds a few new arguments in the *Response to Arguments* section of the present Office

Action. Specifically, claims 1, 4, 7, 10, and 13 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Riches et al. (US Patent No. 2002/0035695), and claims 16 and 19 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Riches in view of Malakapalli et al (US Patent No. 6,467,060).

§102(b) Rejections (Riches) - Claims 1, 4, 7, 10, and 13

With respect to independent claim 1, Applicant previously argued that Riches does not disclose or suggest at least, “wherein a first cyclic redundancy checking (CRC) code produced from data recorded in said recording medium is recorded in said cartridge memory and then secured in an unrewritable state,” as recited in claim 1. That is, Applicant argued that Riches does not disclose recording a first CRC code in a cartridge memory and then securing it in an unre-writable state after the recording operation. Riches only discusses protecting data during the writing of data. In response, the Examiner alleges, in the *Response to Arguments* section:

Regarding claim 1, Applicant argues that Riches et al. disclose protecting CRC code during a recording operation and not after a recording operation. Applicant further points to paragraphs 0005, 0045, and 0051 to support the argument, however the Examiner respectfully disagrees with the Applicant because said paragraphs discuss protecting data being stored to a medium and do not discuss protecting CRC codes being stored to a cartridge memory. As discussed in the previous Office Action mailed June 15, 2005, Riches et al. disclose securing CRC codes in an unrewritable state (page 1, paragraph 26 and page 3, paragraph 86). It is considered that once the code is recorded to the cartridge memory, the code is secured in an unrewritable (read-only) state, and is therefore consistent with the Applicant’s invention as claimed.

In response, with regards to the Examiner’s statement about the citation of paragraphs 0005, 0045, and 0051 to support Applicant’s arguments, the Examiner is correct that the paragraphs discuss protecting data being stored to a medium, however, that was the point of

citing these portions of Riches, as Riches only discusses protecting data during the writing of data (as previously argued). Nowhere, however, does Riches discuss or suggest the sequence of recording a first CRC code in a cartridge memory and then securing it in an unrewritable state after the recording operation. Furthermore, the Examiner does not provide any evidence that this specific feature is taught or suggested in Riches, but simply believes this feature is disclosed by Riches without sufficient support therefor. Thus, at least based on the foregoing, Applicant maintains that Riches does not anticipate claim 1.

Further, with respect to independent claims 1, 4, and 13, Applicant submits that Riches does not disclose or suggest at least, “wherein a flag for write protection is generated after completion of said data being recorded in said recording medium and said cartridge memory is not rewritable,” as recited in amended claim 1 and similarly recited in claims 4 and 13. In Riches, there is no description of making the CRC code unrewritable. “The terminology “nonvolatile,” as used in Riches, simply means that information is not lost even if power is not supplied. Furthermore, the CRC (code) of Riches is only recorded in a signature area sequentially, and there is no description of positively making the CRC (code) unrewritable. Applicant submits that independent claims 1, 4, and 13 are patentable at least based on similar reasons to those set forth in this paragraph.

Applicant maintains that dependent claim 10 is patentable at least by virtue of its dependency from independent claim 1.

Further, with respect to independent claim 4, Applicant previously argued that Riches does not disclose at least, “said second CRC code being produced when said data is recorded in said recording medium.” The Examiner does not even respond to the specific arguments set

forth in the previous Amendment regarding independent claim 4. Therefore, at least based on the foregoing, Applicant maintains that the above-quoted feature of claim 4 is not disclosed in Riches, and is therefore not anticipated.

Applicant submits that claim 7 is patentable at least by virtue of its dependency from independent claim 4.

Further, with respect to claim 13, Applicant previously argued that Riches does not satisfy the specific features set forth in claim 13. That is, Applicant argued that there is no disclosure or suggestion of the recording medium being an optical recording tape. The Examiner does not respond to this specific argument. Therefore, Applicant maintains that claim 13 is not anticipated by Riches.

§103(a) Rejections (Riches/Malakapalli) - Claims 16 and 19

Applicant maintains that claims 16 and 19 are patentable at least by virtue of their dependencies from independent claim 1. Malakapalli does not make up for the deficiencies of Riches.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U. S. Application No. 10/647,447

ATTORNEY DOCKET NO. Q77147

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 13, 2006